REMARKS

Favorable reconsideration is respectfully requested.

Claims 3-7 and 9-13 are currently pending and stand rejected.

In particular, claims 3-7 and 9-13 were rejected under 35 U.S.C. § 103(a) as obvious over Yoshida et al. in view of Zenmyo et al. as evidenced by Miyaji et al.

Applicants respectfully traverse this rejection.

Applicants respectfully assert that Sato et al. (1993, Journal of Bone and Mineral Research, Vol. 8: 849-860) clearly disclose in the abstract that anti-PTHrP(1-34) monoclonal murine antibody did not affect FA-6 tumor (Pancreatic carcinoma cells) growth either in vitro or in vivo. A copy of this reference with the relevant passage underlined is enclosed for the convenience of the Examiner (Attachment A).

Moreover, in Example 10 and Figs 27 and 28 of WO 98/13388 (USP 6,903,194; Attachment B), a humanized anti-PTHrP(1-34) antibody did not affect proliferation of tumor mass in vivo (further, see, Fig. 19 of WO 98/51329; Attachment C). Therefore, it is common sense to a person skilled in the art that anti-PTHrP(1-34) antibody would not affect proliferation of tumor cells at the priority date of this application.

Furthermore, Dackiw et al. (2005, Surgery, Vol. 138: 456-463; Attachment D) disclose that 9H7, which is anti-$PTHrP_{109-141}$ antibody raised against the C-terminal region of human PTHrP, has intense antitumor activity against all five anaplastic thyroid cancer (ATC) cell lines shown in Table I, but 8B12, which is anti-PTHrP1-34 antibody raised against the N-terminal region of human PTHrP, has antitumor activity only against the C463 cell line, and the activity thereof is very weak.

Additionally, we respectfully suggest that the Examiner misunderstands the invention disclosed in Yoshida et al. Yoshida et al. never disclose methods of treating diseases induced by general cell proliferation by administering anti-PTHrP(I-34) antibody. They merely disclose methods for inhibiting cell proliferation stimulated by administering PTHrP(34-53) by using anti-PTHrP(l-34) antibody.

Thus, the anaplastic thyroid cancer cell described in Yoshida et al., treated with PTHrP(34-53) fragment (see, section 0170) for inducing cell proliferation, are unusually stimulated cells and not a model for the claimed cancer.

In view of the above, Applicants respectfully suggest that a person of skill in the art would not have a reasonable expectation of success to arrive at the claimed invention. The cited documents do not disclose nor suggest that anti-PTHrP(1-34) antibody has excellent antitumor effect against chondroma and chondrosarcoma as claimed.

Thus, for the above-noted reasons, Applicants respectfully suggest this rejection is untenable and should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

Hideki YOSHIKAWA et al.

/William R. Schmidt, II/

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